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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/803,603
Filing Date: March 18, 2004
Appellant(s): DETTINGER ET AL.

Gero G. McClellan
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 03/17/2008 appealing from the Office action mailed 09/21/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,519,603	BAYS	2-2003
2006/0111956	SETYA	10-2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 4 – 21, and 24 – 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bays et al. (Bays hereinafter) (US Patent No. 6,519,603 B1, issued: February 11, 2003), in view of Setya (US Patent App. Pub. No. 2006/0111953 A1, filed: October 16, 2003).

Regarding Claims 1, and 21, Bays discloses a computer-readable medium containing a program for managing annotations having multiple states which, when executed by a processor, performs operations comprising:

creating an annotation record comprising one or more fields for storing annotation data (Col. 2, lines 20 – 28, “multiple annotations may be entered for a single annotable data item”, Bays) comprising the annotation;

retrieving annotation data stored in the annotation record (Col. 2, lines 33 – 36, “to retrieve either annotations related to specific database material or database material related to specific annotations”, Bays); and

applying a set of state rules to determine a first state of the annotation based on the annotation data (Col. 3, lines 25 – 30, Bays¹);

receiving additional annotation data (Col. 3 and 11, lines 53 – 56 and 7 – 11; “...The user, such as an author 27 (and/or the application 22) starts at block 205...”; respectively, Bays);

updating the annotation record with the additional annotation data (Col. 8 and 11, lines 14 – 19 and 7 – 15; “...selecting the data item to be annotated, and further enters the annotation content corresponding to a predefined annotation structure at block 210...”; respectively, Bays); and

applying the set of state rules to determine a second state of the annotation based on the annotation data in the updated annotation record (Col. 9 – 10, lines 12 – 14 and 59 – 65, and 12 – 17; “...When the annotation structure assignment is completed at block 150, the method 100 can proceed to decision block 155 (FIG. 3C). Optionally, the method 100 can perform a template transforming (or filtering) loop illustrated by blocks 155, 160, 165, 170, and/or an annotation propagation loop illustrated by blocks 175, 180...” and “...If the administrator 27 determines at decision block 155 that a filter and/or a template is needed, the administrator 27 enters a reader context, such as "Reservoir Engineer" (FIG. 2), as shown by block 160. The administrator 27 then

specifies a corresponding reader template at block 165, and the method 100 inquires at decision block 170 whether templates for additional reader contexts are desired...”, respectively, Bays).

Bays also discloses: providing an indication (Col. 11, lines 34 – 36, Bays). However, Bays is silent with respect to an indication that the state has changed. On the other hand, Setya discloses providing an indication that the state of the annotation has changed from the first state to the second state (Page 6 and 21, [0110] and [0226], lines 10 – 13 and 1 – 7; respectively, Setya²). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the Setya’s teachings to the system Bays. Skilled artisan would have been motivated to do so, as suggested by Setya (Page 1, [0008] and [0009], lines 1 – 4 and 5 – 7, Setya), to provide a system, which can handle changes in the business enterprises; and to control data. In addition, both of the references (Bays and Setya) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, databases management systems, status information. This close relation between both of the references highly suggests an expectation of success.

Regarding Claims 4, the combination of Bays in view of Setya discloses a method, wherein providing the indication that the state of the annotation has changed

¹ Wherein the step of filtering and transforming the entered annotation corresponds to the step of applying a set of state rules as claimed.

² Wherein the step of updating to done corresponds to the step of changing the state of the annotation claimed.

comprises notifying an entity (Page 6 and 21, [0110] and [0226], lines 10 – 12 and 1 – 6; respectively, Setya³).

Regarding Claims 5, the combination of Bays in view of Setya discloses a method, wherein notifying the entity comprises notifying an entity responsible for providing annotation data required to change the state of the annotation from the second state to a third state (Page 6 and 21, [0110] and [0226], lines 10 – 12 and 1 – 6; respectively, Setya).

Regarding Claims 6, the combination of Bays in view of Setya discloses a method, wherein:

the annotation record is associated with a particular annotation type (Fig. 2, item 50 and 88, “Field or Prospect” and “Status”, Col. 7, lines 19 – 22, Bays⁴); and

the method further comprises retrieving the state rules based on a type of the annotation (Col. 7, lines 20 – 29 and 34 – 37, Bays).

Regarding Claims 7, the combination of Bays in view of Setya discloses a method, wherein the method further comprises:

generating an interface screen based on an annotation structure associated with the annotation type, wherein the annotation structure identifies the one or more fields

³ Wherein the step of deleting the tasks whose current status is done corresponds to the step of indicating as claimed.

(Fig. 2, item 50 and 88, “Field or Prospect” and “Status”, Col. 6 and 7, lines 33 – 37 and 19 – 22; respectively, Bays⁵); and

receiving annotation data via the interface (Col. 6 and 7, lines 33 – 37 and 10 – 14; respectively, Bays).

Regarding Claims 8, the combination of Bays in view of Setya discloses a method, wherein the annotation record comprises a field indicating the current state of the annotation (Fig. 2, item 50, Status: Appraisal, Col. 7, lines 17 – 20, Bays).

Regarding Claims 9, the combination of Bays in view of Setya discloses a method, further comprising initiating a process in response to detecting a change in the annotation state (Page 21, [0226], lines 1 – 7, Setya⁶).

Regarding Claims 10, the combination of Bays in view of Setya discloses a method, wherein the process examines a number of annotations in the same annotation state (Page 21, [0226], lines 1 – 7, “the tasks whose status is “done” from the task list 112”, Setya).

⁴ Wherein the Field or Prospect corresponds to the annotation type claimed.

⁵ Wherein the Field or Prospect corresponds to the annotation type claimed.

⁶ Wherein the step of deleting the tasks corresponds to the step of initiating a process claimed; and wherein deleting corresponds to the process claimed.

Regarding Claims 11, the combination of Bays in view of Setya discloses a method, wherein the process modifies the annotation data (Page 21, [0226], lines 1 – 2. “update to done”, Setya).

Regarding Claims 12, the combination of Bays in view of Setya discloses a method, wherein the process initiates another process (Page 21, [0226], lines 5 – 7, Setya⁷).

Regarding Claims 13, the combination of Bays in view of Setya discloses a method for managing annotations having multiple states, comprising:

defining a plurality of annotation types, each annotation type having one or more associated fields (Fig. 2, item 50 and 88, “Field or Prospect” and “Status”, Col. 6 and 7, lines 33 – 37 and 19 – 22; respectively, Bays⁸);

defining a set of state rules for each annotation type (Col. 7, lines 34 – 37, Bays), wherein each state rule identifies an annotation state based on annotation data in the one or more fields associated with its corresponding annotation type (Col. 9, lines 12 – 14 and 60 – 65, Bays⁹); and

providing a state machine capable of retrieving annotation data for an annotation of one of the defined annotation types (Col. 6, lines 45 – 51, “the annotations can be

⁷ Wherein the step of showing the done list corresponds to the other process claimed.

⁸ Wherein the Field or Prospect corresponds to the annotation type claimed.

⁹ Wherein the step of identifying the desired categories (Col. 9, lines 11 – 14, Bays) and further indicating which transformations applied to the annotation content (Col. 9, lines 60 – 65, Bays) corresponds to the step of defining a set of state rules for each annotation type as claimed.

retrieved on the request of a user of, for example, a GUI application, or on the request of a software application running for example on a computer 4”, Bays), applying the state rules for that type to the annotation data to determine the state of the annotation (Col. 3, lines 25 – 30, Bays¹⁰), and providing an indication of the annotation state (Fig. 2, item 50, Status: Appraisal, Col. 7, lines 17 – 20, Bays).

Regarding Claims 14, the combination of Bays in view of Setya discloses a method, wherein at least one of the state rules for at least one of the annotation types identifies a state based on the presence or absence of data in at least one of the fields associated with that annotation type (Page 21, [0227], lines 24 – 27 and 30 – 32, Setya¹¹).

Regarding Claims 15, the combination of Bays in view of Setya discloses a method, wherein at least one of the state rules for at least one of the annotation types identifies a state based on the presence or absence of data in at least two of the fields associated with that type (Page 22, [0227], lines 55 – 60, Setya).

Regarding Claims 16, the combination of Bays in view of Setya discloses a method, wherein at least one of the state rules for at least one of the annotation types

¹⁰ Wherein the step of filtering and transforming the entered annotation corresponds to the step of applying a set of state rules as claimed.

¹¹ Wherein the step including the user selecting an icon by checking corresponds to the step of identifying a state based on the presence or absence of data as claimed.

identifies a state based on a specified string of text in one of the fields associated with that type (Page 21, [0227], lines 30 – 32, “selects the character sequence “attach” inside the task status table”, Setya).

Regarding Claims 17, the combination of Bays in view of Setya discloses a method, further comprising:

providing annotation structures for each annotation type, wherein each annotation structure identifies the one or more fields for a corresponding annotation type (Fig. 2 and 3B, item 50, 89, and item: 135, “define annotation structure from categories” and “Field or Prospect”, Col. 7, lines 19 – 24, Bays¹²); and

generating annotation forms, based on the annotation structures, for receiving annotation data for each annotation type (Fig. 3C, items 160, 165, and 170, Col. 10, lines 12 – 17, a template, Bays).

Regarding Claims 18, the combination of Bays in view of Setya discloses a method for gathering information about a plurality of processes of a similar process type, comprising:

providing an annotation form for receiving annotation data in a plurality of fields related to the processes (Fig. 3C, items 160, 165, and 170, Col. 10, lines 12 – 17, a template, Bays);

¹² Wherein the Field or Prospect corresponds to the annotation type claimed; and wherein the different attributes of the view in the first row corresponds to the annotation structure claimed.

storing annotation data received via the annotation form in a plurality of annotation records (Fig. 1A, item 20, Annotation metadata store, Col. 2 and 7, lines 53 – 59 and 2 – 5; respectively, Bays), wherein each annotation record relates to one of the similar type processes (Fig. 2, item 50 and 88, “Field or Prospect” and “Status”, Col. 6 and 7, lines 33 – 37 and 19 – 22; respectively, Bays¹³);

providing a set of state rules defining a plurality of states for the annotation based on the annotation data in each record (Col. 9, lines 12 – 14 and 60 – 65, Bays);

applying the state rules to the annotation data in each record to determine the state of each annotation (Col. 3, lines 25 – 30, Bays¹⁴); and

generating a report indicating the state of each annotation (Col. 10, lines 26 – 33, Bays¹⁵).

Regarding Claims 19, the combination of Bays in view of Setya discloses a method, wherein each annotation record comprises a field for storing the current state of the corresponding annotation (Fig. 2, item 50, Status: Appraisal, Col. 7, lines 17 – 20, Bays).

Regarding Claims 20, the combination of Bays in view of Setya discloses a method, wherein at least one of the state rules defines an annotation state based on presence or absence of data in one of the fields (Page 22, [0227], lines 55 – 60, Setya).

¹³ Wherein the Field or Prospect corresponds to the annotation type claimed.

¹⁴ Wherein the step of filtering and transforming the entered annotation corresponds to the step of applying a set of state rules as claimed.

Regarding Claims 24, the combination of Bays in view of Setya discloses a computer-readable medium, further comprising notifying an entity of the state of the annotation (Page 6 and 21, [0110] and [0226], lines 10 – 12 and 1 – 6; respectively, Setya).

Regarding Claims 25, the combination of Bays in view of Setya discloses a computer-readable medium, wherein the entity is responsible for providing annotation data required to change the state of the annotation (Page 21, [0226], lines 1 – 7, Setya¹⁶).

Regarding Claims 26, the combination of Bays in view of Setya discloses an annotation system, comprising:

one or more annotation structures, each identifying one or more annotation fields associated with an annotation type (Fig. 2 and 3B, item 50, 89, and item: 135, “define annotation structure from categories” and “Field or Prospect”, Col. 7, lines 19 – 24, Bays¹⁷);

an annotation store for storing annotation records (Fig. 1A, item 20, Annotation metadata store, Col. 2 and 7, lines 53 – 59 and 2 – 5; respectively, Bays), each having

¹⁵ Wherein the different views suitable for accountants, geologists, chemists, etc correspond to the report claimed.

¹⁶ Wherein the step of transferring the task done list corresponds to the step of providing annotation data claimed.

¹⁷ Wherein the Field or Prospect corresponds to the annotation type claimed; and wherein the different attributes of the view in the first row corresponds to the annotation structure claimed.

fields associated with one of the annotation types (Fig. 2, item 50 and 88, “Field or Prospect” and “Status”, Col. 6 and 7, lines 33 – 37 and 19 – 22; respectively, Bays¹⁸);

a set of state rules for each annotation type, wherein each set of state rules defines a plurality of states for each associated annotation type based on the annotation data in the one or more associated fields (Col. 9, lines 12 – 14 and 60 – 65, Bays); and

a state machine configured to access an annotation record (Col. 6, lines 45 – 51, “the annotations can be retrieved on the request of a user of, for example, a GUI application, or on the request of a software application running for example on a computer 4”, Bays) and apply the set of state rules for the corresponding annotation type to determine an annotation state based on the data stored therein (Col. 3, lines 25 – 30, Bays¹⁹).

Regarding Claims 27, the combination of Bays in view of Setya discloses an annotation system, wherein the system further comprises an executable component for communicating a determined annotation state to an entity (Page 21, [0226], lines 4 – 5, Setya²⁰).

Regarding Claims 28, the combination of Bays in view of Setya discloses an annotation system, wherein the executable component retrieves the annotation state as a field in an annotation record (Fig. 41, status, Page 21, [0225], lines 1 – 10, Setya).

¹⁸ Wherein the Field or Prospect corresponds to the annotation type claimed.

Regarding Claims 29, the combination of Bays in view of Setya discloses an annotation system, wherein the executable component retrieves the annotation state from the state machine (Fig. 41, status, Page 21, [0225], lines 1 – 10, Setya).

Regarding Claims 30, the combination of Bays in view of Setya discloses an annotation system, wherein at least one of the state rules associated with one of the annotation types defines an annotation state based on the presence or absence of data in at least one of the associated fields (Page 22, [0227], lines 55 – 60, Setya).

Regarding Claims 31, the combination of Bays in view of Setya discloses a annotation system, wherein at least one of the state rules associated with one of the annotation types defines an annotation state based on the presence or absence of a text string in at least one of the associated fields (Page 21, [0227], lines 30 – 32, “selects the character sequence “attach” inside the task status table”, Setya).

¹⁹ Wherein the step of filtering and transforming the entered annotation corresponds to the step of applying a set of state rules as claimed.

²⁰ Wherein the step of transferring corresponds to the step of communicating as claimed.

(10) Response to Argument

Rejection of claims 1, 4-21 and 24 – 31 under 35 U.S.C. 103(a) as being unpatentable over Bays et al. (US. Patent No. 6,519,603, hereinafter “Bays”) in view of Setya (U.S. Patent Pub. No. 2006/0111953).

Appellant argues that; “neither Bays, nor Setya, alone or in combination, teach or suggest the claim limitations of ‘applying a set of state rules to determine a first state of an annotation based on annotation data’ and ‘applying the set of state rules to determine a second state of the annotation based on the annotation data in the updated annotation record’....Accordingly, Applicants submit that the cited passage has no relation to determining states of annotations”

Examiner respectfully disagrees. The combination of Bays in view of Setya does disclose the limitation: applying a set of state rules to determine the state of an annotation based on annotation data (Col. 3, lines 25 – 30, “Filtering and transforming the entered annotation content based on the context of the reader can be used to a retrieved only relevant information...to present the information in a form easily understood by the discipline or role of the reader...”, Col. 4, lines 1 – 7, “**querying for particular annotations** in the context of the data...This may include identifying an annotatable data item or a type of annotatable data item...the reader asks for the accompanying annotations with particular characteristics (e.g. where author **field**

contains Smith)...”, lines 14 – 16, “a query is issued that uses the pointer information and **specifies a filter on the annotation content and also a filter** on the data content...”, lines 17 – 24, “The second mode is useful when the reader wishes to review only certain annotations that relate to the data (e.g. all those by expert X) or when the reader wishes to focus on particular database material and annotation content (e.g. **find all the data and annotations about drug molecules that have biological activity greater than x (data content) and for which the experts said the experimental measurement was reliable (annotation content))**”, Bays). Wherein the step of filtering and querying a particular annotation (For example; as disclose by Bays, “find all the data and annotations about drug molecules that have biological activity greater than x (data content) and for which the experts said the experimental measurement was reliable (annotation content))”) corresponds to the step of applying a set of state rules as claimed. Wherein actual specific fields or data found corresponds to the first state claimed. Also see Bays, Fig. 2, item 92, for the specific field/category of state (as disclosed by Bays: “Status: Appraisal”, “Status Date by”, “Status Comment...”). Additionally, Examiner makes note that appellant’s specification defines the step of applying the state rules as “.... The state rules **may define different states of the annotation, for example, based on what fields are (or are not) filled in and, possibly, the actual content of those fields.**”

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Giovanna Colan/

Examiner, Art Unit 2162

An appeal conference was held on 28 May 2008, and it was agreed to proceed to the board.

Conferees:

/John Breene/

Supervisory Patent Examiner, Art Unit 2162

/Mohammad Ali/

Supervisory Patent Examiner, Art Unit 2169